

Martha Carrascal  
Plaintiff,

v.

American Airlines, Inc.,  
Defendant.

Civil Action No. 1:22cv825  
(LMB/JFA)

2023 JUL 11 PM 3:59

FILED

Date: July 11, 2023

To Whom it may concern,

My name is Martha Carrascal  
I am writting to appeal the Order for June 15, 2023.  
Thank you for taking the time to consider my request.  
Please contact me by email or my mailing address.

Respectfully,  
Martha A. Carrascal

Martha Carrascal  
P.O. Box 15628  
Alexandria, VA 22309  
marthacarrascal14@gmail.com  
703.919.0581

IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF VIRGINIA  
Alexandria Division

MARTHA CARRASCAL,

Plaintiff,

v.

AMERICAN AIRLINES, INC.,

Defendant.

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1:22-cv-825 (LMB/JFA)

ORDER

Pending before the Court is defendant American Airlines, Inc.'s ("defendant" or "American Airlines") Motion to Dismiss as a Discovery Sanction, or, in the Alternative, to Stay ("Motion"). [Dkt. No. 40]. Plaintiff, pro se, Martha Carrascal ("plaintiff" or "Carrascal") has consistently failed to comply with her discovery obligations, despite three Orders directing her to do so and advising her that, should she not comply, her lawsuit could be dismissed. On March 22, 2023, in response to defendant's Motion to Compel, Magistrate Judge Anderson ordered Carrascal to serve full and complete responses to defendant's discovery requests within eleven days and warned plaintiff that failure to do so could result in dismissal of this action. [Dkt. No. 39]. After being advised that plaintiff failed to comply with Judge Anderson's Order, this Court issued an Order on April 5, 2023 directing plaintiff to show good cause for her failure to comply with discovery obligations by April 26, 2023, or her civil action would be dismissed. [Dkt. No. 46]. On April 7, 2023, Carrascal filed a letter that detailed her search for a lawyer to represent her in this civil action, but provided no explanation as to why she was not able to provide discovery responses to defendant.<sup>1</sup> [Dkt. No. 47]. Finally, on May 5, 2023, the Court advised

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<sup>1</sup> This letter and another letter from plaintiff, filed June 12, 2023, represent her only response to the multiple court orders and requests from defendant to produce discovery responses. In both letters, plaintiff's only excuse for failing to comply with her discovery obligations was that she

plaintiff that her letter did not provide good cause for her failure to provide discovery responses to defendant, and ordered her to provide “full and complete responses to all of defendant’s outstanding discovery requests” by May 22, 2023, or this civil action would be dismissed. [Dkt. No. 50]. After an administrative error prevented plaintiff from receiving the May 5, 2023 Order, on May 24, 2023, the Court amended its May 5, 2023 Order to afford plaintiff until June 14, 2023 to provide full and complete discovery responses. Defendant has advised the Court that, as of June 14, 2023, plaintiff has not provided any discovery responses as ordered by the Court. As a sanction for plaintiff’s unreasonable refusal to comply with court orders, defendant’s Motion [Dkt. No. 40] is GRANTED, and it is hereby


ORDERED that this civil action be and is DISMISSED WITH PREJUDICE.

To appeal this decision, plaintiff must file a written notice of appeal with the Clerk of the Court within thirty (30) days of the date of entry of this Order. A notice of appeal is a short statement indicating a desire to appeal, including the date of the order plaintiff wants to appeal. Plaintiff need not explain the grounds for appeal until so directed by the court of appeals. Failure to file a timely notice of appeal waives plaintiff’s right to appeal this decision.

The Clerk is directed to enter judgment in favor of defendant under Fed. R. Civ. P. 58, forward copies of this Order to counsel of record and plaintiff, pro se, and close this civil action.

Entered this <sup>15</sup> day of June, 2023.

Alexandria, Virginia

  
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Leonie M. Brinkema  
United States District Judge

has been unable to secure counsel; however, as the Court previously explained to her, “[m]any litigants proceed in federal court without counsel.” [Dkt. No. 50]. Being unrepresented does not constitute good cause to excuse plaintiff’s inability to comply with court orders and reasonable discovery requests.

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF VIRGINIA  
\_\_\_\_\_  
DIVISION

Martha Carrascal

Plaintiff(s),

v.

Civil Action Number: 1:22cv825

(LMB/JFA)

American Airlines

Defendant(s).

LOCAL RULE 83.1(M) CERTIFICATION

I declare under penalty of perjury that:

No attorney has prepared, or assisted in the preparation of

Notice of Appeal  
(Title of Document)

Martha Carrascal

Name of *Pro Se* Party (Print or Type)

Martha A. Carrascal

Signature of *Pro Se* Party

Executed on: 7.11.23 (Date)

OR

The following attorney(s) prepared or assisted me in preparation of

\_\_\_\_\_  
(Title of Document)

\_\_\_\_\_  
(Name of Attorney)

\_\_\_\_\_  
(Address of Attorney)

\_\_\_\_\_  
(Telephone Number of Attorney)

Prepared, or assisted in the preparation of, this document

\_\_\_\_\_  
(Name of *Pro Se* Party (Print or Type)

\_\_\_\_\_  
Signature of *Pro Se* Party

Executed on: \_\_\_\_\_ (Date)